

## REMARKS

Favorable reconsideration and withdrawal of the rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

### Claims Status

Claims 1 through 4, 6 through 10, and 12 remain pending in the application. Claims 1, 3, 6, 8, 10, and 12 have been amended to even more succinctly define the invention and/or to improve their form. It is respectfully submitted that no new matter has been added. Claims 1 and 6 are the only independent claims present in the application.

### Section 103 Rejection

Claims 1, 2, 4, and 6 through 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,737,675 (Okada, et al.) in view of U.S. Patent No. 5,363,177 (Nakano, et al.).

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada, et al. in view of Nakano, et al. as applied to Claim 1 and further in view of Japanese Patent Document No. 11-095638 (Kawakami, et al.).

Claims 10 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada, et al. in view of Nakano, et al. as applied to Claim 1 and further in view of U.S. Patent No. 5,708,912 (Lee).

The rationale underlying each of the foregoing rejections is succinctly set forth in the Official Action.

### Traversal of Section 103 Rejections

The rejections are respectfully traversed.

Amended Claim 1 calls for a developer supply container, which is detachably mountable to a main assembly of an image forming apparatus. The developer supply container includes a developer accommodating portion, a developer discharging portion, and a cover. The developer discharging portion includes a hole through which a developer passes and a shutter for closing and opening the hole. The cover covers the developer discharging portion and is movable between a first position in which the cover covers the developer discharging portion and a second position in which the developer discharging portion is exposed. The second position is closer to the developer accommodating portion than the first position. The cover moves from the first position to the second position in accordance with the container being inserted into the main assembly of the apparatus.

Amended independent Claim 6 calls for an image forming apparatus including an image bearing member, a developing means for developing a latent image on the image bearing member, and a developer supply container according to amended Claim 1.

As seen in the foregoing discussion, amended Claims 1 and 6 include the feature that the second position of the cover is closer to the developer accommodating portion than the first position, and that the cover moves from the first position to the second position in accordance with the container entering said main assembly of said apparatus. According to this feature, only by the container being inserted into the main assembly, does the cover move from the first position to the second position, which is closer to the developer accommodating portion. The cover is retracted to a position where the internal space of the apparatus is not affected. See, for example, page 45, line 19 through page 46, line 2 of the specification.

Okada, et al. discloses a toner supply device including a toner cartridge 200, which includes a shutter member 250, and a guide tray 310. The shutter member 250 *per se* three positions, namely, a closing position shown in Figure 3, an opening position shown in Figure 5, and a retreat posture shown in Figure 6. Applicants submit that the closing position corresponds to the first position of the cover in the claimed invention, and the opening position corresponds to the second position in the claimed invention. Applicants also submit that the shutter member 250 at the opening position, i.e., second position, is more remote from the closing position, i.e., first position, from the toner accommodating position in contrast to the claimed invention.

Since Okada, et al. does not disclose or suggest a cover moving from a first position to a second position, which is nearer to the developer accommodating portion, wherein the cover is retracted to a position where it will not affect the internal space of the apparatus. Accordingly, Okada, et al. does not enjoy the advantages of the claimed invention.

Nakano, et al. discloses a method of stripping a sealing member from a toner cartridge 10. A shutter mounting body 34 is bonded to a lower part of a cartridge body 4. Nakano, et al. does not disclose a cover moving between a first position and a second position. Rather, Nakano, et al. discloses a first shutter 1 is slidably mounted on the shutter mounting body 39. A second shutter is slidably mounted on the first shutter 1. The first shutter 1 and the second shutter 2 do not move only by inserting the toner cartridge 10 into a copying machine. Rather, shutters 1 and 2 must be pulled out by a user after the toner cartridge 10 is mounted to the copying machine.

It is respectfully submitted that Nakano, et al. does not overcome the above-noted deficiencies of Okada, et al. *vis-à-vis* the claimed invention.

It is also respectfully submitted that the combination rejections are not well founded. There is nothing in the cited art which supports the position that it can be combined in the manner suggested. The Examiner argues that it would be obvious to combine the teachings of Nakano, et al. with the teachings of Okada, et al. on the basis of Nakano, et al. discloses structure, which the Examiner identifies as being omitted from the teachings of Okada, et al. However, the Examiner does not identify any disclosure or suggestion in the prior art that the teachings or suggestion of Okada, et al. should be modified to include the teachings of Nakano, et al. Without such teaching or suggestion in the cited art, no *prima facie* case of obviousness has been made and the rejection should be withdrawn.

Kawakami, et al. and Lee, et al. are cited for disclosing features recited in certain dependent claims. However, it is respectfully submitted that Kawakami, et al. and Lee, et al. do not overcome the above-noted deficiencies of Okada, et al. and Nakano, et al. *vis-à-vis* the claimed invention.

In view of the foregoing, it is respectfully submitted that amended independent Claims 1 and 6 are allowable over Okada, et al. and Nakano, et al. whether taken individually or in combination.

#### Dependent Claims

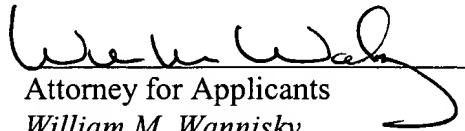
Claims 2 through 4, 7 through 10, and 12 depend either directly or indirectly from one of Claims 1 and 6 and are allowable by virtue of their dependency and in their own right for further defining Applicants' invention. Individual consideration of the dependent claims is respectfully requested.

Closing Comments

It is respectfully submitted that the claims on file are allowable over the art of record and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the present application are earnestly solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the address shown below.

Respectfully submitted,

  
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